

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF JASPER
JUNE 9, 2009**

The Board of Public Works and Safety of the City of Jasper, Indiana, met in regular session on Tuesday, June 9, 2009, in the Council Chambers of City Hall located at 610 Main Street.

CALL TO ORDER

Presiding Officer Mayor William J. Schmitt called the meeting to order at 8:00 a.m.

ROLL CALL

Mayor William J. Schmitt	Present
Board member Thomas R. Schmidt	Present
Board member Ambrose 'Butch' Schitter	Present

Also present were Police Chief Douglas Tarvin, Street Commissioner Raymond Eckerle, City Engineer Chad Hurm, Building Commissioner David Seger, Fire Chief Kenneth Hochgesang, Personnel/Safety Director Charles Schneider, City Attorney Sandra Hemmerlein, and Clerk-Treasurer Juanita S. Boehm.

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the meeting, a majority of the board members must be present. All three board members were present, which is a majority; therefore, there was a quorum for the meeting.

PLEDGE OF ALLEGIANCE

Mayor Schmitt invited all those present to join him in reciting the Pledge of Allegiance.

APPROVAL OF THE MINUTES

The board members examined the minutes of the regular meeting held on May 26, 2009. A **motion** was made by Thomas Schmidt and seconded by Mayor Schmitt to approve the minutes as presented. Motion carried 3-0.

STREET CLOSING – FORMER JMS DEMOLITION

Greater Jasper Consolidated Schools Assistant Superintendent Mike Hile, along with Dennis Brinley from HCL Inc from Louisville, KY, asked permission to close certain streets beginning June 15, 2009 during the demolition of the former Jasper Middle School located at 340 W. 6th Street. They requested closing St. John Street between 6th and 7th Streets from 7:00 a.m. to 4:00 p.m. while hauling debris and then open the street to general traffic after working hours. They may need to close Seymour Street because the trucks will travel from US 231 to Seymour Street, west on 7th Street, south on St. John Street to US 231. A movable fence will be placed right against the curb along 7th Street. Hile also asked to prohibit parking on 7th Street from Seymour Street to St. John Street.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the request of Dennis Brinley and the Greater Jasper Consolidated Schools to block off St John Street between 6th and 7th Streets and use it for south bound truck traffic during construction and demolition, give special attention to the neighbors, block off Seymour Street as needed, to prohibit parking on 7th Street during demolition. The trucks are not allowed to use

Bartley Street but instead should use the US231 to Seymour Street, west on 7th, south on St. John Street to US231 route. Motion carried 3-0.

SUICIDE PREVENTION WALK

Christine Vinson, representing Tri-Cap, asked permission to hold their 4th annual suicide prevention walk on Saturday, September 12, 2009 from 9:00 a.m. to 9:30 a.m. The route, which is the same as last year, begins at the Jasper 8 Theatres back parking lot and goes to 3rd and Main Street and back to the parking lot.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the date of September 12, 2009 from 8:00 a.m. to 10:00 a.m. for using the streets mentioned in the diagram which is the same as last year on condition all participants sign a waiver form. Motion carried 3-0.

STRASSENFEST STREET CLOSINGS

Bridget Jarboe, the 2009 Strassenfest Chairperson, asked permission to close certain streets for the Strassenfest activities. Jarboe then read the following closings:

Monday July 27th at 6:00 p.m.

Main Street between 3rd Street and 5th Street

4th Street between Jackson Street and Newton Street

5th Street between Jackson Street and Newton Street

Wednesday July 29th from 3:00 p.m. until 9:00 p.m.

Main Street adjacent to Jasper City Hall building to 8th Street

7th Street between Newton Street and the east side of City Hall

Wednesday July 29th from 5:30 p.m. until 9:00 p.m.

Main Street between 5th Street and 8th Street, including entire Square

6th Street between Jackson Street and Newton Street

Thursday July 30 at 4:30 p.m.

The Public Square at the following intersections

4th & Newton, 5th & Newton, 6th & Newton, 7th & Newton, 8th & Newton

4th & Jackson, 5th & Jackson, 6th & Jackson, 7th & Jackson, 8th & Jackson

Main Street between 3rd Street and 9th Street

No Parking on 6th Street in front of the Post Office

Friday July 31st at 4:30 p.m.

The Public Square at the following intersections

4th & Newton, 5th & Newton, 6th & Newton, 7th & Newton, 8th & Newton

4th & Jackson, 5th & Jackson, 6th & Jackson, 7th & Jackson, 8th & Jackson

Main Street between 3rd Street and 9th Street

July 31st from 4:30 p.m. until conclusion of water ball contest

6th Street between McCrillus Street and Mill Street

To include areas around the Log Barn, River Walk Plaza, and Train Depot

Jarboe said the only change is the July 30th addition of no parking on 6th Street in front of the Post Office because they want to make room for the Clydesdales.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the street closings as described by the Strassenfest chairperson today provided Jarboe brings a copy of the list of closings to the Clerk Treasurer for the record, and allow the use of the Barn, Riverwalk, Buehler Plaza, and the train depot for functions during the Strassenfest. Motion carried 3-0.

FORKLIFT QUOTES FOR STREET DEPARTMENT

Street Commissioner Raymond Eckerle said at the last meeting quotes for a forklift were taken under advisement. He said when the quote from Black Equipment was opened and read only the quote for \$20,748.08 was read. They also had an alternate quote of \$912.00 for sideshift capabilities for a total quote of \$21,660.08. Eckerle recommended accepting the low quote from Black Equipment Co. for the Yale GP050VX for \$21,660.08. He said one downfall is that it has a time of delivery of 18 weeks but if our current forklift does not make it, they can furnish us with a loaner.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the low quote from Black Equipment Co. for a forklift for the Street Department for the total cost of \$21,660.08. Motion carried 3-0.

PUBLIC WORKS CONFERENCE

Street Commissioner Raymond Eckerle asked permission to attend the American Public Works Association Conference in Columbus, OH from September 13th to September 16th.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the request of the street commissioner to attend the American Public Works Conference in Columbus, OH from September 13th to September 16th. Motion carried 3-0.

REPLACE RAILROAD CROSSINGS

Street Commissioner Raymond Eckerle asked permission to close south Jackson Street and south Main Street so existing railroad crossings can be replaced and two additional ones installed. He said they will close one street at a time, first Jackson then Main.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the plan to replace the rail road crossings and allow the closing of south Jackson Street and south Main Street as needed. Motion carried 3-0.

TREES IN THE RIVER

Street Commissioner Raymond Eckerle informed the Board he had been contacted by Alan Small from the Upper Patoka River Conservancy District that six more trees are in the Patoka River near the Veneer Mills area. He said the City will have to pay its portion of the costs since we do not pay fees to that district. He then said the contractor began clearing yesterday.

Mayor Schmitt asked about the debris next to the bridge and Eckerle stated he talked to INDOT and they are working on a contract and supposedly they will be coming soon.

LOADER & CRACK SEALER

Street Commissioner Raymond Eckerle asked permission to seek quotes to replace a loader and crack sealer.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to grant the street commissioner permission to get quotes for a loader and a crack sealer and bring them to a future meeting. Motion carried 3-0.

STREET CLOSINGS

Street Commissioner Raymond Eckerle asked permission to close 5th Street by 5th Street School from St. John Street to US 231 some time in the future in order to replace the storm sewer. He said they would keep the street open as much as possible. Eckerle also said there are two sewers in question and it will take one day each to get the work done.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to allow the street department to close 5th Street for storm sewer work on condition they work around the school's schedule as best as one can and notify the news media and the police department about the closing. Motion carried 3-0.

RIGHT OF WAY & DRAINAGE PERMITS

City Engineer Chad Hurm said the City received a right-of-way permit and a drainage permit from Brent Atkins of 2130 W. Shiloh Lane. Atkins wants to extend a pipe 125 feet to the east and install a 24 inch riser and inlet that will allow him to fill in a large drainage ditch along his driveway. Hurm said Atkins requests that the City take over the pipe into its system. City Attorney Sandra Hemmerlein said the City would be taking over newly installed pipe not what is already there. Thomas Schmidt said he is concerned about the connection. There was some discussion about the installation of the pipe and the flow of the water. It was suggested Hurm report back to the Board after the pipe is installed to the City's specifications.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the request of Brent Atkins to install the pipe approved by the city engineer on condition the connection is inspected and approved by the city engineer and he reports back to the Board. Motion carried 3-0.

COVENANT & ENCROACHMENT AGREEMENT

City Engineer Chad Hurm said Jessie E. and Nora J. McCarty, 232 St. Charles Street, Lot 87 in Golden Acres Estates III, asked permission to encroach on the City's easement. An 18 ft x 16 ft brick storage shed building was built six years ago on thirteen ft of the fifteen ft. easement. When the building permit was obtained the drawing showed the building 17 ft. off the property line and 15 ft outside the easement. Upon a later inspection the 15 ft easement was shown on the wrong side of the property line and as a result the building was constructed two feet off the property line and within the 15 ft public utility and drainage easement. Most of utilities except for the sanitary sewer are in the 20 ft easement on the east side of property line. The building was then built over the top of the sanitary sewer line. Some survey work was done in that area and it was realized that the property line was different so the individual came forward to do the right thing.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the Covenant and Encroachment Agreement for Jessie E. and Nora J. McCarty, 232 St. Charles Street, on condition the agreement is signed and recorded. Motion carried 3-0.

50/50 SIDEWALK REPLACEMENT PROGRAM

City Engineer Chad Hurm said David Bromm submitted a request to participate in the 50/50 sidewalk replacement program in conjunction with Matrix's request to replace the sidewalk on the north side of 4th Street between Main and Newton Streets. Bromm's request is for the sidewalk in front of his building located at 114 W. 4th Street. The total estimate for

Bromm's sidewalk is \$836.25 with his portion being \$418.13. The total project cost for Matrix is \$1715.00 with their portion being \$857.50.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to enter into an agreement with Matrix and David Bromm to participate in the 50/50 sidewalk replacement program by replacing the sidewalk on the north side of 4th Street between Main Street and Newton Street. Motion carried 3-0.

PERFORMANCE BOND RELEASE

Building Commissioner David Seger presented a performance bond release form for Red Oak Estates II that was developed by Robert Durcholz. Seger said all the work was properly installed and completed and the release form has been signed by the various departments.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the release of the Performance Bond for Red Oak Estates II. Motion carried 3-0.

MILL PROJECT CHANGE ORDERS

City Engineer Chad Hurm presented two change orders for the Mill project, INDOT Contract No. R-28096-B. He explained the need for each change and asked the Board to approve Change Order No. 0814 for an add of \$1,870.00 and Change Order No. 0815 for an add of \$3,955.00 for a total of \$5825.00

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve Change Order #0814 and #0815 for a total of \$5,825.00. Motion carried 3-0.

CONTRACT WITH INDOT FOR THE WATER WHEEL

Mayor Schmitt said INDOT has verbally agreed to enter into a contract with the City so it can get reimbursed 80% for the water wheel that is needed for the Mill project. The City received the paperwork to complete but it is not fully completed as of today.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter for the City of Jasper to enter into a contract with INDOT for items, such as the water wheel, which are outside the original contract for the Mill project. Motion carried 3-0.

CLARK-DIETZ CONTRACT

City Attorney Sandra Hemmerlein presented a contract with Clark-Dietz Inc. to provide engineering services for another phase of the City wide walking path. The segment is from the intersection of Portersville Road and 36th Street east along the north side of 36th Street to the east property line of the Mill Creek Park subdivision, a distance of approximately 1,750 feet. The cost for this service is \$56,900.00.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to enter into a contract with Clark-Dietz for the design work for the walking path along 36th Street from Portersville Road to the east property line of the Mill Creek Park subdivision. Motion passed 3-0.

WIND SONG ESTATES LETTER OF CREDIT

City Attorney Sandra Hemmerlein said a new Letter of Credit was received from Robert and Mary Jane Durcholz for Wind Song Estates This new letter of credit is a reduction to \$211,717.70. The amount was arrived at after the street department inspected the subdivision and determined the amount that is needed to complete the work. The letter of credit will expire in one year.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to accept the new letter of credit for Wind Song Estates subdivision for \$211,717.70 in exchange for the old letter of credit. Motion carried 3-0.

BROOKSTONE ESTATES III LETTER OF CREDIT

A new letter of credit was received from Robert and Mary Jane Durcholz for Brookstone Estates III in the amount \$77,000.00 and was presented to the Board for its approval.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to accept the new letter of credit for Brookstone Estates III for \$77,000.00 for one year. Motion carried 3-0.

BRENTWOOD SUBDIVISION PHASE I LETTER OF CREDIT

Allan and Judith Holweger submitted new letters of credit for Brentwood Subdivision Phase I to replace the current ones on file because they did not get the work done in three months. One letter of credit is for the storm sewers and lake for \$9,000.00 and will expire September 10, 2009 and the other letter of credit is for street installation for \$20,950.35 and it too will expire September 10, 2009.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to accept the Letters of Credit from Allan and Judith Holweger for \$9,000.00 for the storm sewers and lake and \$20,950.35 for the streets for Brentwood Subdivision Phase I. Motion carried 3-0.

LETTER OF RESIGNATION

Fire Chief Kenneth Hochgesang stated he received a letter of resignation from firefighter David Vinson effective June 30, 2009. Mayor Schmitt then read the letter from Vinson.

Mayor Schmitt said he appreciated Vinson's 27 years of service to the City. He was a good firefighter. Chief Hochgesang stated Vinson was always supportive and he will be missed.

HIGH WEED COMPLAINTS

Fire Chief Kenneth Hochgesang reported to the board the names of property owners and the location that has been cited under 5.12.040 weed removal/notice. The names and locations are as follows:

Owners	Location
Robin Brooks	1330 Newton Street
	Kundek 2 nd Add Lot 19
Ricky McNabb	1491 W 5 th Avenue
	Petry's 1 st Add Lot 25
Jason & Julie Ann Breeding	Kundek 2 nd Add Lot 25
Pat Brescher	Sapphire Drive
	Diamond Ridge Estates Lots 6 and 7

Robert & Mary Jane Durcholz

Cynthia M. Kerstiens

Lee Huebner

Kelly Dorsam

Robert & Deena Hubler

Brian & Karla Neukam

Beringer & Brookstone

Brookstone Estates III Lots 79 & 80

Brescher & Sapphire

Diamond Ridge Estates Lot 12

3rd & Newton Street

Jasper Original Pt Lot 26

2307 Scenic Court

Summit Heights Lots 14, 17 & 18

Deer Creek Park Lot 22

Backyard area

PT SE NE 35-1-5

Lot behind residence

BAINBRIDGE TOWNSHIP FIRE PROTECTION FUNDING

Fire Chief Kenny Hochgesang reported that Bainbridge Township Trustee Ken Buck said the township has funding available for fire protection and he is willing to pay for changes to the garage doors at fire station No. 1 since the door cannot currently be on the police department's generator in the event the electricity goes off. Electrical work will be done by E & K Electric on the over head door and the garage door openers will be changed.

FIRE TRUCK TESTING

Fire Chief Kenneth Hochgesang reported that the aerial truck and ground ladders have been tested by UL and all passed the certification.

FIREFIGHTERS' CONDITIONAL OFFER OF EMPLOYMENT

Fire Chief Kenny Hochgesang said the hiring process for firefighters is completed and he recommended the Board hire Jason Shaw, Michael Decker, Bret Vaal, Cody Schmitt, and Tyler Lechner as probationary firefighters.

Thereafter, a **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to offer a Conditional Offer of Employment to Michael Decker, Tyler Lechner, Cody Schmitt, Jason Shaw and Bret Vaal for the position of Jasper Fire Department Probationary Firefighter and that this position will become effective Monday, June 29, 2009, provided all conditional offer of employment requirements are met. Motion carried 3-0.

A **motion** was then made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to keep the remaining applicants for the 'probationary' volunteer firefighter position on an eligibility list for 24 months. Motion carried 3-0.

TURBULENT WATER SIGNAGE

Personnel/Safety Director Charles Schneider reported that he received a call from a citizen that there are no signs about the flow of the current at Patoka River near the River Walk area. DNR looked over the area and determined that they are in agreement with the City that it is a good idea to put up signs on both sides of the river warning people about the potential turbulent water. DNR is responsible for the signage. Due to lack of manpower, DNR asked the City to install the signs that they will provide. The City agreed and the street department installed the 14" x 20" signs.

FEMA DISASTER REIMBURSEMENTS

Personnel/Safety Director Charles Schneider reported that the City received more of the money for reimbursement claims that were submitted to FEMA for the recent disaster. The following was received:

<u>Category</u>	<u>Amount Received</u>
Cat. B: Emergency Protective	\$61,065.41
Cat. F: Public Owned Utilities	\$35,356.44

Schneider also reported that \$1,730.35 for administrative costs should be forthcoming. The City previously received \$33,353.65 for Cat. A: Debris Removal.

COMMUNICATIONS SYSTEM – JASPER POLICE DEPARTMENT

Police Chief Douglas Tarvin said at the last meeting the bid for a radio communication system for the police department was taken under advisement. He said he reviewed the bid and it met the specifications. He then recommended accepting the bid from Advanced Communications in the amount of \$194,600.11. Tarvin said they are not including the added option of console position spares kit for \$920.00.

A **motion** was made by Mayor Schmitt and seconded by Ambrose ‘Butch’ Schitter to accept the bid from Advanced Communications for a communications system for \$194,600.11. Motion carried 3-0.

RADIO TOWER GENERATOR

Police Chief Doug Tarvin reported that Homeland Security has grant funding for District 10. The \$10,360.00 grant he applied for to purchase a generator to replace the current one at the radio tower has been approved. Tarvin said he sought estimates and recommended purchasing a 17KW outside generator for the radio tower for \$9,980.00 which includes installation from Fischer Electric Inc. He will submit the invoice to Homeland Security.

Tarvin added that a new generator was needed as part of the update of the communications system. The City was fortunate to receive this grant and therefore does not have to spend local tax dollars for the item.

A **motion** was made by Mayor Schmitt and seconded by Ambrose ‘Butch’ Schitter to approve the recommendation to use the 17 KW generator provided by Fischer Electric for \$9,980.00. Motion passed 3-0.

APPLY FOR GRANT MONEY

Police Chief Douglas Tarvin asked permission to apply for grant money from the Dubois County Substance Abuse Council to replace the audio/visual equipment located in the training room at the police station and to replace the in-car audio/video cameras. The estimated costs are \$3,300.00 for the audio/visual equipment and \$5,000.00 per car for twenty cars for a total of \$100,000.00 for the in-car audio/video cameras.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the request to seek grant funding for audio/visual equipment at the police station and in-car audio/video cameras to upgrade from VHS recorders to DVD. Motion carried 3-0.

SEEK QUOTES FOR TWO POLICE CARS

Police Chief Douglas Tarvin asked permission to seek quotes for two new police cars with trade-ins of a 2000 Chevy Impala with 80,000 miles and a 2001 Chevy Impala with 91,000 miles.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the request to seek quotes for two new police cars. Motion carried 3-0.

INDIANA ASSOCIATION OF CHIEFS OF POLICE CONFERENCE

Police Chief Douglas Tarvin asked permission for himself and the Assistant Police Chief to attend the Indiana Association of Chiefs of Police Conference in Indianapolis on September 9 and 10, 2009.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the request to attend the Chiefs Conference at Indianapolis. Motion carried 3-0.

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE CONFERENCE

Police Chief Douglas Tarvin asked permission to attend the International Association of Chiefs of Police Conference in Denver, Colorado from October 3 to October 7, 2009.

Mayor Schmitt suggested tabling the matter until the next meeting.

POLICE REPORT

Police Chief Douglas Tarvin presented to the Board for its review the May 2009 Jasper Police Department Activity Report.

CAR SEAT INSPECTION STATION

Assistant Police Chief Nathan Schmitt asked permission to apply for a \$2,000.00 grant for the operation of a permanent child car seat safety inspection program. He said Mike Stallman, Jason Knies, and Carie Dick attended training sessions to become certified and be able to install, inspect, and teach child car seat safety class. The Jasper Police Department would be designated a permanent car seat inspection station. Schmitt said the department would advertise to the public and schedule times for parents to participate in the program.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to apply for the grant and also designate the JPD as a child safety seat fitting station. Motion carried 3-0.

CLAIMS. Claims against the City from May 8, 2009 to June 4, 2009 were presented to and examined by the board. Those claims found to be just, due and owing were approved 3-0 upon **motion** by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter.

ADJOURNMENT. There being no further business to come before the board, a motion was made by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter to adjourn the meeting. The motion carried 3-0 and the meeting adjourned at 10:05 a.m.

The minutes were hereby approved _____ with X without corrections or

clarification this 23rd day of June, 2009.

Mayor William J. Schmitt
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer

Margaret A. Kress, Recording Secretary